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# TRANSMITTAL FORM

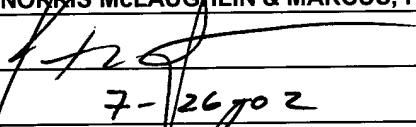
(To be used for all correspondence after initial filing)

|  |  |                        |                               |
|--|--|------------------------|-------------------------------|
|  |  | Application Number     | 10/070,966                    |
|  |  | Filing Date            | March 13, 2002                |
|  |  | First Named Inventor   | UDO HÖLKER                    |
|  |  | Group Art Unit         | To Be Assigned                |
|  |  | Examiner Name          | To Be Assigned                |
| Total Number of Pages in This Submission |  | Attorney Docket Number | 100725-28 / Kreisler 1101-KGB |

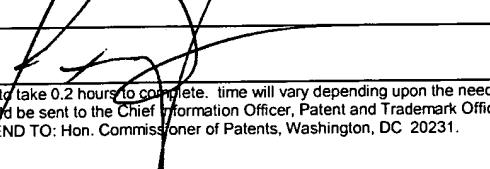
**ENCLOSURES (check all that apply)**

|  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached | <input type="checkbox"/> Assignment Papers<br>(for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> To convert a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Additional Enclosure(s)<br>(please identify below):<br>- Combination Declaration and Power of Attorney<br>- Copy of Notification of Missing Requirements |
| Remarks:   |   |  |

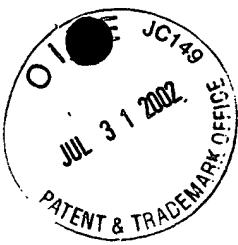
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                         |  |  |
|-------------------------|--|--|
| Firm or Individual name | Kurt G. Briscoe, Esq.<br>NORRIS McLAUGHLIN & MARCUS, P.A.                            |  |
| Signature               |  |  |
| Date                    | 7-26-02  |  |

Reg. No. 33,141

|   |  |         |
|---|--|---------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Hon. Commissioner of Patents, Washington, D.C. 20231 on this date: <u>7/26/02</u> |  |         |
| Typed or printed name   | Kurt G. Briscoe  |         |
| Signature   |  |         |
|   | Date   | 7-26-02 |

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31 JUL 2002

Kreisler 1101-KGB  
020451us/JH/ml

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : UDO HÖLKER  
SERIAL NO. : 10/070,966  
FILED : March 13, 2002  
FOR : BIOREACTOR FOR FERMENTING SOLIDS  
ART UNIT : To Be Assigned  
EXAMINER : To Be Assigned

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Hon. Commissioner for Patents  
Washington, D.C. 20231

**COMMUNICATION RE: FILING OF DECLARATION ON  
A DATE LATER THAN THE FILING DATE OF THE APPLICATION**

Sir:

This is in response to the Notice to File Missing Parts of Application under 37 CFR 1.53(b) dated May 1, 2002, in the above-identified application. A copy of said Notice is attached hereto.

It is requested that the papers submitted herewith be joined up with the papers previously filed in this Application.

Applicant is:

- a small entity  
 other than a small entity

It is requested that the surcharge for the filing of the Declaration be charged to the undersigned's Deposit Account No. 14-1263.

Please charge:

- [ ] \$ 65.00 for small entity  
 \$130.00 for other than small entity.

An extra copy of this communication is appended hereto for accounting purposes.

**CONDITIONAL PETITION FOR EXTENSION OF TIME**

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.

**ADDITIONAL FEE**

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted,  
NORRIS McLAUGHLIN & MARCUS, P.A.  
By \_\_\_\_\_  
Kurt G. Briscoe  
Reg. No. 33141

KGB/ja  
Enc. - Combined Declaration and Power of Attorney  
- Copy of Notice of Missing Parts

220 East 42<sup>nd</sup> Street -30<sup>th</sup> Floor  
New York, New York 10017  
Tel.: (212) 808-0700  
Fax: (212) 808-0844

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231 on 7-26-02.

NORRIS McLAUGHLIN & MARCUS, P.A.

By \_\_\_\_\_



## UNITED STATES PATENT AND TRADEMARK OFFICE

Kreisler 101-KGB

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

|                               |                       |                           |
|-------------------------------|-----------------------|---------------------------|
| U.S. APPLICATION NUMBER NO.   | FIRST NAMED APPLICANT | ATTY/DOCKET NO.           |
| 10/070,966                    | Udo Holker            | 100728-28 / Dreisler 1101 |
| INTERNATIONAL APPLICATION NO. |                       |                           |
| PCT/EP00/08929                |                       |                           |
| I.A. FILING DATE              | PRIORITY DATE         |                           |
| 09/13/2000                    | 09/13/1999            |                           |

CONFIRMATION NO. 4776  
371 FORMALITIES LETTER

\*OC000000007976649\*



Norris McLaughlin & Marcus  
 220 East 42nd Street  
 30th Floor  
 New York, NY 10017

Date Mailed: 05/01/2002

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

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Telephone: (703) 305-3656

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**PART 1 - ATTORNEY/APPLICANT COPY**

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| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO.          |
|-----------------------------|-------------------------------|---------------------------|
| 10/070,966                  | PCT/EP00/08929                | 100725-28 / Dreisler 1101 |

FORM PCT/DO/EO/905 (371 Formalities Notice)